

Message Text

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ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10

ACDA-07 AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 SAL-01 FEA-01 /158 W

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FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 3751

C O N F I D E N T I A L USUN 3751

FROM US DELLOS

E.O. 11652: N/A

TAGS: PLOS

SUBJ: LOS: INFORMAL MEETING OF COMMITTEE II, PM, 15
SEPTEMBER

1. COMMITTEE II MET IN INFORMAL SESSION TO HEAR CHAIRMAN'S
REPORT ON WORK OF NEGOTIATING GROUPS AND SMALLER CONSULTATIVE
GROUPS. (TRANSLATION: PREVIEW OF CHAIRMAN'S REPORT TO
PLENARY). NO OPPORTUNITY WILL BE PROVIDED TO PUT VIEWS OF
DELEGATIONS ON THE RECORD.

2. LEGAL STATUS OF ECONOMIC ZONE. WHILE CHAIRMAN WOULD
NOT POINT TO ANY CONCRETE RESULTS, HE NOTED THAT THE
ELEMENTS FOR POSSIBLE CONSENSUS BEGAN TO APPEAR AT THE END
OF THE SESSION, AND THAT POSSIBLY MORE PROGRESS WOULD HAVE
BEEN MADE IF PROGRESS HAD BEEN MADE ON RELATED ISSUES
ELSEWHERE IN THE CONFERENCE. HE INTENDS IN HIS REPORT TO
MAKE REFERENCE TO NO RPT NO SPECIFIC PROPOSALS EXCEPT FOR
THOSE WHICH WERE AGREED. HE OBSERVED THAT THE LAST MEETING
OF THE SMALL GROUP WAS ONE OF THE MOST CONSTRUCTIVE MEETINGS
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HELD WITHIN THE COMMITTEE AMBIT.

3. RIGHTS AND DUTIES OF COASTAL AND OTHER (LL/GDS) STATES IN THE ZONE. CHAIRMAN REPORTED RESULTS TO BE INCONCLUSIVE EXCEPT FOR THE RESULTS OF PRIVATE CONSULTATIONS WITH RESPECT TO ARTICLE 56 (CATADROMOUS SPECIES).

4. ACCESS TO SEA BY LANDLOCKED STATES AND FREEDOM OF TRANSIT. VICE CHAIRMAN NJENGA ANNOUNCED THE FOLLOWING CONSENSUS OF CHAPTER 6, NOTING RESERVATION BY QTE A FEW STATES UNQUOTE. CHANGED IN RSNT FOLLOW, WITH OTHER ARTICLES UNCHANGED:

- (A) ART. 110-1: DELETE QTE THE PRINCIPLE OF UNQTE.
- (B) ART. 110-2: CHANGE QTE CONDITIONS UNQTE TO QTE MODALITIES UNQTE, AND DELETED LAST CLAUSE.
- (C) ART. 110-3: ADD QTE NECESSARY UNQTE BEFORE QTE MEASURES UNQTE, AND ADD QTE AND FACILITIES UNQTE AFTER QTE RIGHTS UNQTE.
- (D) ART. 111: CHANGE QTE WHICH REGULATE UNQTE TO READ QTE RELATING TO UNQTE.
- (E) ART. 112-2: ADD QTE AND OTHER FACILITIES PROVIDED FOR UNQTE AFTER WORD QTE TRANSPORT UNQTE WHERE IT APPEARS FOR THE SECOND TIME, AND DELETE QTE TARIFFS UNQTE.
- (F) ART. 114: CHANGE LAST CLAUSE TO READ QTE TRANSIT STATES AND LANDLOCKED STATES CONCERNED MAY COOPERATE TOWARDS THEIR EXPEDITIOUS ELIMINATION UNQTE.
- (G) ART 115: CHANGE CAPTION TO READ QTE MEASURES TO AVOID OR ELIMINATE DELAYS AND OTHER DIFFICULTIES OF A TECHNICAL NATURE IN TRAFFIC IN TRANSIT. UNQTE.
- (H) ART. 115-1: DELETE QTE EXCEPT IN CASES OF FORCE MAJEURE UNQTE; BEGIN WITH QTE ALL APPROPRIATE MEASURES UNQTE; AND REPLACE QTE RESTRICTIONS UNQTE WITH QTE DIFFICULTIES OF A TECHNICAL NATURE UNQTE.

PAKISTAN ON THE ONE HAND AND NEPAL, AFGHANISTAN, PARAGUAY, ZAMBIA, BHUTAN AND UGANDA RESERVED ON VICE CHAIRMAN'S REPORT, THE LATTER SIX OBJECTING THAT AGREEMENT AS REPORTED WAS MADE IN THE LAST MEETING OF SMALL CONSULTATIVE GROUP WHICH THEY DID NOT ATTEND DUE TO CONFIDENTIAL

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INADEQUATE NOTICE.

4. DELIMITATION OF OUTER LIMIT OF SHELF. CHAIRMAN SIMPLY NOTED THAT DISCUSSIONS FOCUSED ON ONE PARTICULAR (IRISH) PROPOSAL.

5. REVENUE SHARING. CHAIRMAN SAW EMERGING CONSENSUS AROUND:

- (A) REVENUE SHARING BEYOND 200 MILES.
- (B) SHARING OF VALUE OF PRODUCTION RATHER THAN PROFITS.
- (C) AS A MINIMUM, A FIVE YEAR GRACE PERIOD WITH FIVE PERCENT MAXIMUM.
- (D) TAKING INTO ACCOUNT SITUATION OF DEVELOPING COUNTRIES (DUAL STANDARD).
- (E) RATE OF DISTRIBUTION TO BE DETERMINED AFTER STUDY OF SITUATION OF LDC'S, WITH GREATER SHARE GOING TO LDC'S, PARTICULARLY LANDLOCKED.
- (F) ROLE OF AUTHORITY SHOULD BE STRESSED IN RESPECT OF DISTRIBUTION.

6. STRAITS. CHAIRMAN NOTED LARGE NUMBER OF STATES FOUND RSNT BALANCED; THAT SOME STRAITS STATES COULD ACCEPT RSNT AS BASIS OF NEGOTIATIONS ALTHOUGH THEY OFFERED SOME AMENDMENTS; THE TIME AVAILABLE PREVENTED AN ASSESSMENT OF THE ACCEPTANCE OF THOSE AMENDMENTS; SOME INFORMAL DISCUSSIONS HAVE OCCURRED AND HOPEFULLY THEY WILL CONTINUE DURING THE INTERSESSIONAL PERIOD; AND THAT CHAIRMAN'S REPORT ON THIS SUBJECT WILL BE GENERAL AND BRIEF.

7. DELIMITATION BETWEEN OPPOSITE AND ADJACENT STATES. CHAIRMAN REPORTED A CONSTRUCTIVE EXCHANGE OF VIEWS, EXTREMELY DIVIDED OPTIONS, AND NO CONCLUSIONS.

8. VARIOUS OTHER ISSUES NOT ON CHAIRMAN'S PRIORITY LIST. CHAIRMAN REPORTED CONSTRUCTIVE DISCUSSIONS WITH SOME RESULTS, CITING INDONESIA/ MALAYSIA AMENDMENT TO ARTICLE 119-7. THE DISCUSSIONS DEMONSTRATED THAT MOST REMAINING PROBLEMS MUST BE SOLVED BY DISCUSSIONS BETWEEN LIMITED NUMBER OF STATES MOST INTIMATELY

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CONCERNED, CITING ARCHIPELAGOES, ENCLOSED AND SEMI-ENCLOSED SEAS, AND ARTICLE 20-2 (NOTING NEED TO COORDINATE WITH COMMITTEE III ON LATTER ISSUE). HE FURTHER NOTED THAT IT MIGHT BE FAIRLY ASSUMED THAT ARTICLES RECEIVING NO COMMENTS THIS SESSION HAVE WIDE-SPREAD GENERAL SUPPORT (SOME ONE-HALF OF PART II). TURKEY OBJECTED TO CATEGORIZING ISSUES ON THE BASIS OF THE NUMBER OF DELEGATIONS SHOWING PARTICULAR INTEREST.

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